

**UNPUBLISHED**UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 24-6492**

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ALBERT ANDERSON,

Plaintiff - Appellant,

v.

MCMILLIAN, Medical Provider Individual and Official Capacity; ALEXANDER  
CORRECTIONAL INSTITUTION, Official Capacity; JANE DOE, Nurse  
Individual and Official Capacity; JOHN DOE, Correction Officer Individual and  
Official Capacity,

Defendants - Appellees.

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Appeal from the United States District Court for the Western District of North Carolina, at  
Statesville. Martin K. Reidinger, Chief District Judge. (5:24-cv-00079-MR)

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Submitted: October 30, 2025

Decided: November 3, 2025

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Before RUSHING and BENJAMIN, Circuit Judges, and KEENAN, Senior Circuit Judge.

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Dismissed by unpublished per curiam opinion.

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Albert Anderson, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Albert Anderson seeks to appeal the district court's order dismissing his 42 U.S.C. § 1983 complaint without prejudice and with leave to file an amended complaint.\* This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291, and certain interlocutory and collateral orders, 28 U.S.C. § 1292; Fed. R. Civ. P. 54(b); *Cohen v. Beneficial Indus. Loan Corp.*, 337 U.S. 541, 545-46 (1949).

When a notice of appeal is premature, the entry of final judgment can cure the resulting jurisdictional defect under the doctrine of cumulative finality but only if the order being appealed could have been certified for immediate appeal under Fed. R. Civ. P. 54(b). *Houck v. LifeStore Bank*, 41 F.4th 266, 271 (4th Cir. 2022). The order Anderson seeks to appeal is neither a final order nor an appealable interlocutory or collateral order. Further, because the district court could not have certified the challenged order for immediate appeal under Rule 54(b), the cumulative finality doctrine does not apply.

Accordingly, we deny Anderson's pending motions and dismiss the appeal for lack of jurisdiction. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

*DISMISSED*

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\* When the district court dismisses a complaint without prejudice but with leave to amend, that order "is not a final decision because it means that the district court is not finished with the case." *Britt v. DeJoy*, 45 F.4th 790, 796 (4th Cir. 2022) (en banc).